

Notice of Allowability

Application No.

10/561,908

Examiner

DAVID T. WELCH

Applicant(s)

SUENAGA ET AL.

Art Unit

2628

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/2/2009.
2. ☒ The allowed claim(s) is/are 1-6 and 20-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 2/24/2010.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/XIAO M. WU/
Supervisory Patent Examiner, Art Unit 2628

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 9/25/2009, 12/22/2009, 2/22/2010.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements submitted on September 25, 2009, December 22, 2009, and February 22, 2010 were filed after the mailing date of the Nonfinal Office Action of September 2, 2009. The submissions are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statements are being considered by the Examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Bird on February 24, 2010.

In the claims:

Claim 1. (currently amended) In each of lines 13 and 16 of the instant claim, please replace "processing target" with --processing target image data--.

Claim 3. (currently amended) A method for processing an image, comprising:

providing an image data set including main image data that represents a main image, thumbnail image data that represents a thumbnail image of the main image, and color space identification information that expresses a color space related to the main image data, wherein the color space identification information can indicate which of multiple color spaces including a prescribed standard color space and a particular color space is to be used, and the main image data and the thumbnail image data and the color space identification information being associated with one another;

selecting one of the main image data and the thumbnail image data as a processing target image data;

if the thumbnail image is the processing target image data, executing, by an image processing apparatus, a prescribed basic color space conversion regardless of content of the color space identification information to obtain first converted image data of the thumbnail image; and

if the ~~thumbnail~~ main image is the processing target image data, executing a specified color space conversion utilizing a color space specified by the color space identification information to obtain second converted image data of the main image,

the first and second converted image data being expressed by an identical color system.

Claim 5. (currently amended) In line 7 of the instant claim, please replace "a computer-readable medium" with --a non-transitory computer-readable medium--.

In each of lines 13 and 14 of the instant claim, please replace "processing target" with --processing target image data--.

In line 17 of the instant claim, please replace "if the thumbnail image is the processing target" with --if the ~~thumbnail~~ main image is the processing target image data--.

Claims 7-19 and 24-31. (canceled)

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: The prior art main image data, thumbnail image data representing main image data, and color space identification information, determining whether the main or thumbnail image data will be the target image data to be processed, and performing different operations on the targeted image data. The prior art, however, does not teach selecting one of the main or thumbnail image data as the target, and depending on which one is the target, performing different color space conversions, both of which result in data expressed by the same color system. The Examiner's newly cited reference teach datasets including main image data, thumbnail image data, and identification information (for example, Liu et al. [U.S. Patent Application Publication No. 2003/0147563], figure 2), and selecting either main image data or thumbnail image data as processing target image data (for

example, Yamamoto et al. (U.S. Patent Application Publication No. 2004/0263533), paragraph 253) and processing the main and thumbnail image data differently, but also fails to teach performing color space conversions depending upon which set of image data is selected as the target. The references in the above references information disclosure statements submitted by the Applicant also teach some of the features of the claimed invention, but again, do not teach selecting one of a main or thumbnail image data as processing target image data, and depending on which one is the target, performing different color space conversions, both of which result in data expressed by the same color system. The remaining dependent claims depend directly or indirectly from allowable independent claims, and are therefore also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID T. WELCH whose telephone number is (571)270-5364. The examiner can normally be reached on Monday-Thursday, 8:00-5:30 EST, and alternate Fridays, 8:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xiao Wu can be reached on (571)272-7761. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/dtw/

/XIAO M. WU/
Supervisory Patent Examiner, Art Unit 2628